REMARKS

Claims 1-29 are currently pending in the present application. Claims 1, 26, 27, 28, and 29 have been amended. Claims 1-21 and 26-29 stand rejected. Support for these new claims can be found in the specification as originally filed.

CLAIM REJECTIONS – 35 U.S.C. § 102

Claims 26, 28 and 29 are rejected under 35 U.S.C. §102(b) as being anticipated by Bergholz (US 4,479,621). Applicant respectfully traverses these rejections.

A § 102 rejection is proper only if each and every element as set forth in the claim is found-i.e., the prior art must teach every aspect of the claim. *See Verdegall Bros. v. Oil Co., of California.* 918 F.2d 628,631 (Fed. Cir. 1987; *see also* MPEP § 2131).

Bergholz does not teach or suggest all of the elements set forth in claims 26, 28 and 29. For example claims 26, 28, and 29 recite combinations that include elements for a "lower cargo deck." In contrast, Bergholz only describes structure for an upper cargo loading space. Bergholz does not describe the floor structure for a lower cargo deck as set forth in claims 26, 28, and 29.

For at least these reasons, claims 26, 28, and 29 are not anticipated by Bergholz. Therefore, the Applicant respectfully requests that the rejections of claims 26, 28, and 29 under 35 U.S.C. § 102 be removed.

CLAIM REJECTIONS – 35 U.S.C. § 103

Claims 1-3, 13, 14-15, 20 and 21 are rejected under 35 U.S.C. §102(b) as being unpatentable over Baldwin (US 3,612,316) in view of Micale (US 5,806,797) and/or Powell (US 2004/0237439). Claims 4-7, 12, 18 and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Baldwin (US 3,612,316) as modified by Micale (US 5,806,797) and/or Powell (US 2004/0237439) as applied to claim 1 above, and further in view of Owen (US 6,061,982). Claims 8 and 9 are rejected under 35 U.S.C. §103(a) as being unpatentable over Baldwin (US 3,612,316) as modified by Micale (US 5,806,797) and/or Powell (US 2004/0237439) as applied to claim 1 above, and further in view of Telair (International DE19712278). Claims 16 and 17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Baldwin (US 3,612,316) as modified by Micale (US 5,806,797) and/or Powell (US 2004/0237439) as applied to claim 1 above, and further in view of Nordstrom (US 7,410,128). The Applicant respectfully traverses these rejections.

According to the new Examination Guidelines for Determining Obviousness under 35 U.S.C. § 103 in view of the Supreme Court decision of *KSR International, Co. v. Teleflex, Inc.* it is stated that the proper analysis for a determination of obviousness is whether the claimed invention would have been obvious to one of ordinary skill in the art after consideration of all the facts. The key to supporting any rejection under 35 U.S.C. § 103 is the clear articulation of the reasons why the claimed invention would have been obvious. An Office Action must explain why the differences between the prior art and

the claimed invention would have been obvious to one of ordinary skill in the art. See 72 Fed. Reg. 57526, 57528-529 (Oct. 10, 2007).

None of the cited references either taken separately or in combination teach, suggest, or otherwise render obvious all of the features of these claims. Further, there has been no showing of why one of ordinary skill in the art would find obvious the differences between the claims and the cited references.

For example, claim 1 recites a combination including, among other things, a "floor beam ... configured and adapted for connection to said skin of the aircraft at at least three different points of the floor beam: at a first point to a bottom portion of said aircraft, at a second point to a first side portion of said aircraft and at a third point to a second side portion of said aircraft laterally opposite said first side portion."

Baldwin does not describe or show a floor beam connected in such a way as claimed. None of the other cited references have been alleged to cure the insufficiencies of Baldwin.

For at least this reason, claim 1 and its dependant claims are not rendered obvious by the references cited above. Therefore, the Applicant respectfully requests that the rejections of claim 1 and its dependant claims under 35 U.S.C. § 103 be removed.

Claims 27 is rejected under 35 U.S.C. §103(a) as being anticipated by Bergholz (US 4,479,621) in view of Owen (US 6,061,982). Applicant respectfully traverses this rejection.

Claim 27 is patentable over Bergholz for the same reasons as set forth above with respect to claims 26, 28 and 29. Owen does not cure the insufficiencies of

Bergholz, nor is it alledged to. Therefore, the Applicant respectfully requests that the rejections of claim 27 under 35 U.S.C. § 103 be removed.

CONCLUSION

The Amendment is believed to overcome the pending rejections. No new matter is added and no new issues are believed to be raised.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and such action is hereby solicited. Any additional fee believed necessary for the consideration of this response is hereby authorized to be charged to Deposit Account No. 50-2036 with regards to Docket No. 59482.21820.

Should the Examiner believe that a telephone conference would expedite issuance of the application, the Examiner is respectfully invited to telephone the undersigned attorney at (202) 861-1655.

Respectfully submitted,

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